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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,859	01/15/2002	Mikael Johansson	8194-583	5132
20792	7590	03/17/2008		
MYERS BIGEL, SIBLEY & SAJOVEC PO BOX 37428 RALEIGH, NC 27627				
EXAMINER				
PHAM, BRENDA H				
ART UNIT		PAPER NUMBER		
2616				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

10/047,859

**Applicant(s)**

JOHANSSON ET AL.

**Examiner**

BRENDA PHAM

**Art Unit**

2616

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-8,10-12,18,19,25 and 26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-8,10-12,18,19,25 and 26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1, 3-8, 10-12, 18-19, 25-26 are pending in the application.

***Response to Arguments***

2. Applicant's arguments with respect to claims 1, 8, 18, 25 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-8, 10-11, 18, 25-26 are rejected under 35 U.S.C. 103(a) as unpatentable over Aoki (US 5,983,090) in view of Wilkes et al (US 7,272,121 B2) further in view of Applicant's Admitted Prior Art.

With respect to independent claims 1, 8, 18 and 25, Aoki discloses a wireless base station and method of configuring a wireless base station of a wireless mobile data communication system, the method comprising:

Determining a port number and/or an internet address to be assigned to the wireless base station ("the service provider in accordance with a protocol, such as

TCP/IP (Transmission Control Protocol/Internet Protocol), and then obtains an IP address "IP1" for the base station from the service provider SP." (Col. 5, lines 23-26);

Communicating a datagram including the assigned port number and/or Internet address in a destination field of a header of the datagram from a controller of the wireless mobile data communication system to the wireless base station via a network of the wireless mobile data communication system (**"the service provider SP sends to the base station BS1 data in which IPx is set as the source address and IP1 is set as the destination address" (see figure 5), ('the base station BS acquires the IP address "IP1" for base station from the service provider SP", Col. 6 line 15-200.);**

Aoki further teaches a computer-readable storage medium embodied control program for configuring a wireless base station (Col. 5, lines 8-13).

Although Aoki teaches the service provider SP transmitting a datagram to the wireless base station via a public network, not via backbone network, such as in the claim. It would have been obvious to those having ordinary skill in the art at the time of the invention was made to transmitting a datagram via backbone network, such that discloses in the AAPA (figure 1).

Aoki does not teach responsive to receipt of the datagram at the wireless base station, configuring the wireless base station to accept data-grams addressed to the assigned port number and/or Internet address

Wilkes et al, in the same field of endeavor teaches this claimed limitation.

Wilkes et al teaches "After the base station 210\_1 is provided with a serial number and a starting IP address, the base station 210\_1 is then plugged into a

network 410\_1 (S504). The base station 210\_1 may then be either manually configured or automatically configured (S506). For example, a base station may be designed such that it is manually configured, automatically self-configured, or provides the installer with an option of either manually or automatically configuring the base station. (Figure 5A, Col. 5, lines 15-20).

Therefore, it would have been obvious to those having ordinary skill in the art at the time of the invention was made to implement the method of base station self-configured, such as taught by Wilkes et al, in Aoki.

With respect to claims 3-4, 10, Aoki does not teach communicating the routed datagram to the wireless base station via a frame relay connection between the wireless base station and the router. This limitation is taught by AAPA in figure 1.

Therefore, it would have been obvious to those having ordinary skill in the art at the time of the invention was made to implement the step of communicating the datagram to the wireless base station via a frame relay connection between the wireless base station and the router via a conventional Cellular Digital Packet Data communication system, such as in AAPA.

With respect to claim 5-6, 11, Aoki further teaches communicating the datagram according to IP.

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With respect to claims 7, 12, 19 and 26, AAPA further discloses wherein the wireless base station comprises a Mobile Data Base Station (MDBS) of a Cellular Digital Packet Data (CDPD) system (see figure 1).

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (571) 272-3135. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild, can be reached on (571) 272-2092.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

March 6, 2008

**/Brenda Pham/**

**Primary Examiner, Art Unit 2616**